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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/533,762	03/23/2000	Jae Kyung Lee	0630-1061P	9869

7590 06/18/2003

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EXAMINER
KE, PENG

ART UNIT	PAPER NUMBER
2174	8

DATE MAILED: 06/18/2003

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No.	Applicant(s)	
	09/533,762	LEE ET AL.	
	Examiner	Art Unit	
	Peng Ke	2174	

-- The MAILING DATE of this communication appears on the cover she t with th correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☐ Responsive to communication(s) filed on *4/16/03* .

2a)☒ This action is **FINAL**. 2b)☐ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) *1-17* is/are pending in the application.

4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5)☐ Claim(s) _____ is/are allowed.

6)☒ Claim(s) *1-17* is/are rejected.

7)☐ Claim(s) _____ is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☐ The specification is objected to by the Examiner.

10)☐ The drawing(s) filed on _____ is/are: a)☐ accepted or b)☐ objected to by the Examiner.

Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

11)☐ The proposed drawing correction filed on _____ is: a)☐ approved b)☐ disapproved by the Examiner.

If approved, corrected drawings are required in reply to this Office action.

12)☐ The oath or declaration is objected to by the Examiner.

Priority under 35 U.S.C. §§ 119 and 120

13)☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

a)☐ All b)☐ Some * c)☐ None of:

1.☐ Certified copies of the priority documents have been received.

2.☐ Certified copies of the priority documents have been received in Application No. _____ .

3.☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

14)☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).

a) ☐ The translation of the foreign language provisional application has been received.

15)☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

Attachment(s)

1) ☐ Notice of References Cited (PTO-892)
2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3) ☐ Information Disclosure Statement(s) (PTO-1449) Paper No(s) _____ .
4) ☐ Interview Summary (PTO-413) Paper No(s). _____ .
5) ☐ Notice of Informal Patent Application (PTO-152)
6) ☐ Other:

DETAILED ACTION

1. This action is responsive to communications: Amendment, filed on 4/16/03.

This action is final.

2. Claims 1-6, 10-12, and 15-17 are pending in this application. Claims 1, 2, 3 and 4 are independent claims. In the Amendment, filed on 4/16/03

Claim Rejections - 35 USC § 112

The following is a quotation of the first paragraph of 35 U.S.C. 112:

> The specification shall contain a written description of the invention, and of the manner and process of making and using it, in such full, clear, concise, and exact terms as to enable any person skilled in the art to which it pertains, or with which it is most nearly connected, to make and use the same and shall set forth the best mode contemplated by the inventor of carrying out his invention.

3. Claims 1, 3, and 4 are rejected under 35 U.S.C. 112, first paragraph, as failing to comply with the written description requirement. The claim(s) contains subject matter which was not described in the specification in such a way as to reasonably convey to one skilled in the relevant art that the inventor(s), at the time the application was filed, had possession of the claimed invention. Claims 1, 3, and 4 contain the teaching wherein the last menu has the same color in which an upper most menu level is displayed, which is not described in the specification.

Claim Rejections - 35 USC § 102

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

> A person shall be entitled to a patent unless –
>
> (b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

4. Claims 2 and 5 are rejected under 35 U.S.C. 102(b) as being anticipated by Tsugo (JP 04246720).

As per independent claim 2, Tsugo teaches a method for displaying a menu screen on a video display apparatus, the menu screen comprising a plurality of menus and menu levels, wherein selecting a menu from the plurality of menus generates a corresponding lower menu level, the selected lower menu and the corresponding menu level being displayed in the same manner and differently from other menus and menu levels on the menu screen (paragraph 0008, Detail Description, P. 0004, 0007).

As per claim 5, which is dependent on claim 2, Tsugo teaches the method according to claim 2, wherein the menus and menu levels are displayed using blocks, and the selected menu and the corresponding menu level are displayed on a different block from other menus and menu levels (Fig 2, item I, II, III).

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

> (a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the manner in which the invention was made.

5. Claims 1, 3, 4, 9 and 10 are rejected under 35 U.S.C. 103(a) as being unpatentable over Tsugo (JP 04246720) in view of Bloomfield et al. (US 5,425,140).

As per independent claim 1, Tsugo teaches a method for display a menu on a video display apparatus, the menu screen comprising a plurality of menus and menu levels, wherein selecting a menu generates a corresponding lower menu level, and a last menu level is displayed in a first color different from a second color in which intermediate menu levels are displayed (Detail Description, P. 0004).

However Tsugo fails to teach the last menu has the same color in which an upper most menu level is displayed.

Bloomfield et al. teaches the setting the upper most menu and last menu with the same color (fig 2, items 4, and 8).

It would have been obvious for an artisan at the time of the invention to include Bloomfield et al.'s teaching with the method of Trueblood in order to group the menus with a similar character.

As per independent claim 3 is rejected with the same rationale as claim 1.

As per independent claim 4 is rejected with the same rationale as claim 1.

As per claim 9, which is dependent on claim 3, Tsugo and Bloomfield et al. teach the method according to claim 3. Tsugo further teaches the method wherein the menus and menu levels are displayed using blocks, and the selected menu and the corresponding menu level are displayed on a different block from other menus and menu levels (Fig 2, item I, II, III).

As per claim 10, which is dependent on claim 4, it is of the same scope as claim 9.

6. Claim 6 is rejected under 35 U.S.C. 103(a) as being unpatentable over Tsugo (JP 04246720) in view of Roberge (US 6,154,750).

As per claim 6, which is dependent on claim 2, Tsugo teaches the method according to claim 2. However Tsugo doesn't teach wherein the menus and menu levels are displayed using different shadings, and the selected menu and the corresponding menu level are displayed using a shading that is different from the shadings of the other menus and menu levels. Roberge teaches a method wherein the menus and menu levels are displayed using different shadings, and the selected menu and the corresponding menu level are displayed using a shading that is

different from the shadings of the other menus and menu levels. It would have been obvious to an artisan at the time of the invention to include Roberge's teaching with Tsugo's method in order to make it easier for user to recognize the submenus, which have a different shade from each other.

7. Claims 11 and 12 are rejected under 35 U.S.C. 103(a) as being unpatentable over Tsugo (JP 04246720) in view of Bloomfield et al. (US 5,425,140) further in view of Roberge (US 6,154,750).

As per claim 11, which is dependent on claim 3, Tsugo in view of Bloomfield et al. teach the method according to claim 2. However Tsugo and Bloomfield fail to teach wherein the menus and menu levels are displayed using different shadings, and the selected menu and the corresponding menu level are displayed using a shading that is different from the shadings of the other menus and menu levels. Roberge teaches a method wherein the menus and menu levels are displayed using different shadings, and the selected menu and the corresponding menu level are displayed using a shading that is different from the shadings of the other menus and menu levels.

It would have been obvious to an artisan at the time of the invention to include Roberge's teaching with the method of Tsugo in order to make it easier for user to recognize the submenus, which have a different shade from each other.

As per claim 12, which is dependent on claim 4, it is of the same scope as 11 (see rejection above).

7. Claim 15 is rejected under 35 U.S.C. 103(a) as being unpatentable over Tsugo (JP 04246720) in view of Ermel et al. (U.S. 5,835,094).

As per claim 15, which is dependent on claim 5, Tsugo teaches claim 9, he doesn't teach the method wherein each of the blocks is displayed three dimensionally so as to show its height. However, Ermel et al. teaches a method wherein each of the blocks is displayed three dimensionally so as to show its height (fig 1-4, col 3 lines 37-51). It would have been obvious to one of ordinary skill in the art at the time of the invention to include Ermel's teaching with Tsugo's method in order to give user a complete view of all the available selections of the menu.

8. Claims 16 and 17 are rejected under 35 U.S.C. 103(a) as being unpatentable over Tsugo (JP 04246720) in view of Bloomfield et al. (US 5,425,140) further in view of Ermel et al. (U.S. 5,835,094).

As per claim 16, which is dependent on claim 9, Tsugo in view of Bloomfield teach claim 9. However, they fail to teach the method wherein each of the blocks is displayed three dimensionally so as to show its height. Ermel et al. teaches a method wherein each of the blocks is displayed three dimensionally so as to show its height (fig 1-4, col 3 lines 37-51). It would have been obvious to one of ordinary skill in the art at the time of the invention to include Ermel's teaching with the method of Tsugo and Bloomfield in order to give user a complete view of all the available selections of the menu.

As per claim 17, which is dependent on claim 10, it is of the same scope as claim 16 (see rejection above).

Response to Amendment

9. Applicant's arguments with respect to claims 1-17 are have been considered but are deemed to be moot in view of the new grounds of rejection.

Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Peng Ke whose telephone number is (703) 305-7615. The examiner can normally be reached on M-F 8:30-5:00.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, KRISTINE L KINCAID can be reached on (703) 308-0640. The fax phone numbers for the organization where this application or proceeding is assigned are (703) 746-7239 for regular communications and (703) 746-7238 for After Final communications.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is (703) 305-3900.

Peng Ke
June 10, 2003

Kristine Kincaid
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